

PATENT COOPERATION TREATY

PCT

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/FR2004/000092e

I. Basis of the report

1. This report has been drawn up on the basis of the following elements *(the replacement sheets received by the receiving office in response to an invitation according to Article 14 are considered in the present report as "originally filed" and are not annexed to the report as they contain no amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-9 as originally filed

Claims, No.:

1-15 as originally filed

Drawings, sheets:

½-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty	Yes:	Claims	Insert text here
	No:	Claims	Insert text here
Inventive Step	Yes:	Claims	Insert text here
	No:	Claims	Insert text here
Industrial Applicability	Yes:	Claims	Insert text here
	No:	Claims	Insert text here

2. Citations and explanations

see separate sheet

Concerning point V.

- 1 Reference is made to the following documents in the present notice:
 - D1: WO 01.31577A (WAIBEL THOMAS; PETRESCU MIHAI (CH); TRONIC MGM AG A (CH)) 3 May 2001 (2001-05-03)
 - D2: DE 196 48 767 A (SIEMENS AG OESTERREICH) 26 June 1997 (1997-06-26)
 - D3: US 6 360 953 B1 (ZHU SHENGBO ET AL) 26 March 2002 (2002-03-26)
 - D4: US 4 582 985 A (LOEFBERG BO) 15 April 1986 (1986-04-15)
 - D5: DE 196 18 144 C (ZIEGLER HANS BERNDT DR) 10 April 1997 (1997-04-10)
 - 2 INDEPENDENT CLAIM 1
 - 2.1 The present application does not satisfy the conditions stated in PCT Article 33(1), the object of claim 1 not implying an inventive step as defined by PCT Article 33(3).

Document D1 (see page 6, lines 11-19; figures 1-3) describes (the references between brackets applying to this document) a chip card (1) comprising, in order to authenticate the person holding the card, a sensor of information (4) relating to the skin of the person holding the chip card between his thumb and his index finger.

Consequently, the object of claim 1 differs from that known card in that the sensor is a spectral information sensor.

There are a number of biological information sensors, which can be used to authenticate people. The biometric information sensor incorporated in the card as described in document D1 is, for example, a fingerprint sensor or even a sensor of biometric information of more than one digit used for the same purpose: person authentication.

A person skilled in the art, who wants to find an alternative to this fingerprint sensor of document D1 knows that a spectral information sensor is equivalent to such a sensor and that it can, depending on circumstances, be replaced by the latter. Indeed, it is known (see, for example, document D2) that such a sensor of spectral information of the skin can also be used for the same purpose: person authentication.

The present application does not therefore involve an inventive step.
 - 2.2 Documents D3-D6 (for the passages, see the search report) describe chip cards similar to those described in the document D1.
- In addition, the card of document D4 has a sensor for the finger and on the reverse side one for the thumb and the card of document D5 includes an optical sensor.
- 3 DEPENDENT CLAIMS 2-15

The claims do not contain characteristics which, combined with the characteristics of any one of the claims to which they refer, satisfy the inventive step requirements of the PCT (PCT Article 33 2) and 3)). As for the relevant documents and the important passages, see the search report. To sum up:

 - 3.1 The additional characteristics of claims 2-4 are known or made evident by documents D2 and D5.
 - 3.2 The additional characteristics of claims 5-10 are known or made evident by document D2.
 - 3.3 The additional characteristic of claim 11 is known or made evident by documents D1, D3-D6.
 - 3.4 The additional characteristic of claim 12 is known or made evident by one of documents D3, D4 or D5.
 - 3.4 The additional characteristics of claims 13 and 14 are known or made evident by document D1.
 - 3.5 The additional characteristics of claim 15 are known or made evident by documents D1, D3, D4 or D5.